



REGULAR MEETING OF GREENBELT CITY COUNCIL held July 8, 2002.

Mayor Davis called the meeting to order at 8:09 p.m.

ROLL CALL was answered by Council members Edward V. J. Putens, Rodney M. Roberts, Alan Turnbull, Thomas X. White, and Mayor Judith F. Davis.

ALSO PRESENT were Michael P. McLaughlin, City Manager; David E. Moran, Assistant to the City Manager; Andrew Nussbaum, City Solicitor; and Kathleen Gallagher, City Clerk.

Mayor Davis asked for a moment of silence in memory of Greenbelt residents Richard Ducharme and Emily E. Kelsner. She then led the Pledge of Allegiance to the flag.

CONSENT AGENDA: Mr. White requested that approval of the minutes of the work session of May 1, 2002, be removed from the consent agenda. It was then moved by Mr. Putens and seconded by Mr. Turnbull that the consent agenda be approved as amended. The motion passed 5-0.

Council thereby took the following actions:

MINUTES

Work Session, April 29, 2002

Work Session, May 8, 2002

Work Session, May 20, 2002

Regular Meeting, May 28, 2002

Work Session, June 3, 2002

Work Session, June 5, 2002

Interview, June 10, 2002

Regular Meeting, June 10, 2002

Work Session, June 12, 2002

Interview, June 17, 2002

- Work Session, June 17, 2002

- Interview, June 19, 2002

- Work Session, June 19, 2002

Approved as presented.

REAPPOINTMENT TO ADVISORY GROUP: Council appointed Jessica Mealey to an additional term on the Youth Advisory Committee.

APPROVAL OF AGENDA: Mr. Putens moved approval of the agenda. Mr. Turnbull seconded the motion, which passed 5-0.

PRESENTATIONS

Introduction of New School Board Members from Greenbelt: The Mayor introduced Abby Crowley and José Morales, the two Greenbelt residents appointed to the new Prince George's County School Board, and noted that they would be attending the meeting of the Advisory Committee on Education on Tuesday, July 16. They both spoke briefly, noting that the new board plans to focus on policy and accountability issues, not day-to-day administrative matters, and that all the members will represent the county at large, rather than limited constituencies. Council congratulated Ms. Crowley and Mr. Morales on their appointments, wished them well, and thanked them for coming.

PETITIONS AND REQUESTS: Sylvia Lewis, 2-C Gardenway, spoke to request Council's consent to recognize the City of Greenbelt as a sponsor of the Greenbelt Pink Ribbon Ride, a fundraiser for breast cancer education and research programs that will be held on September 21 under the aegis of Bike 4 Breast Cancer. Ms. Lewis said sponsors are usually corporate donors, but the organizers wish to recognize the City's substantial in-kind contributions. It was moved by Mr. Putens and seconded by Mr. Roberts that this item be added to the agenda as #20.

MINUTES OF MEETINGS: Mr. White corrected the minutes of the Work Session of May 1, 2002, to indicate that the concern with the activities of Springfest, Earth Day, and the Public Works Open House is that ways be sought to better coordinate the activities to make it possible for people to attend all the main events. He moved approval of the minutes thus amended. Mr. Putens seconded the motion, which passed 5-0.

ADMINISTRATIVE REPORTS

Mr. McLaughlin introduced Andrew Nussbaum, who was standing in for Mr. Manzi, who is on vacation.

Mayor Davis described the USO benefit event, sponsored by the City and Greenbelt Post 136 of the American Legion on June 14. Mr. Roberts attended the Legion's Fourth of July picnic and presented a proclamation in honor of the Blue Star Flag and Blue Star Service Banner.

Mayor Davis and Mr. Putens reported on attending the Maryland Municipal League (MML) annual conference in Ocean City. The Mayor was reelected to the MML Board of Directors. Mr. Putens was inducted into the MML Hall of Fame, joining Mr. White and former Mayors Pilski and Weidenfeld as Greenbelt recipients of that honor.

Mayor Davis attended, as his guest, the inauguration of Thomas Crowley of Doctors Hospital as the director of the Chamber of Commerce. She also attended the dedication of the gymnasium at the Kettering-Largo Community Center tonight. She announced that the Double-Dutch team, the Greenbelt City Stars, who were performing there, recently won the 2002 World Championship.

Mayor Davis thanked the Public Works and Recreation Departments for their work on the Fourth of July fireworks presentation. She also thanked Public Works for assisting Cottage City following damage done by a recent microburst.

In late June, Mr. White attended a meeting of the Advisory Council of the National League of Cities. They will be investigating municipal support for early childhood development, on the premise that cities are underinvested in this area. Greenbelt will be surveyed on the subject later.

LEGISLATION

Legislation to Amend the City Code Enforcement Program. Mayor Davis read the agenda comments. Celia Craze, Director, Planning and Community Development, briefed Council on three proposed ordinances to amend the City Code:

A. An Ordinance to Amend Chapter 11, "Motor Vehicles and Traffic," of the Greenbelt City Code for the Purpose of Allowing the City to Modify and Update Certain Provisions of the Code Related to Stopping, Standing, and Parking Violations;

B. An Ordinance to Amend Chapter 11.5, "Noise Control," of the Greenbelt City Code for the Purpose of Adopting Standards for Considering Noise, Both Generally and for Lawn Equipment; and

C. An Ordinance to Amend Chapter 12, "Parks and Recreation," of the Greenbelt City Code for the Purpose of Establishing Penalties for Violation of Article VII, "Trees."

Ms. Craze first provided a briefing on all three ordinances. Regarding Chapter 11, she highlighted three changes. Language has been added to permit the City to impound unsafe vehicles more promptly; this change is primarily oriented toward abandoned cars at Springhill Lake. Another proposed change is to lower from five to three the number of unpaid infractions that allows a car to be booted, since staff believes that a pattern of intent not-to-pay is clear by the third infraction. Third, language is included to prohibit storage of abandoned vehicles on commercial property, except for businesses involved with auto repair.

Regarding Chapter 11.5, Ms. Craze said objective standards have been added that are taken directly from state law. It will also now be possible for the City to respond to an affidavit from a citizen, which staff hopes will improve the City's ability to deal with neighbor-to-neighbor violations when staff cannot be present to take measurements. In response to a question from Mr. White, Ms. Craze clarified that the 70 DBA limit on leaf-blowers is measured from where it is heard, not the point of origin of the sound. Mayor Davis asked if indoor noise from another apartment is covered. Ms. Craze said it would be if it is audible more than 50 feet from the source.

Regarding Chapter 12, Ms. Craze noted that the penalties proposed are on a per tree basis and are thus quite hefty. In response to questions, she said these penalties would not be applied retroactively to the Hanover Parkway Exxon station, which was cited on other grounds, but that the need to establish financial penalties became apparent because of that incident. Mr. White requested a restatement of the last sentence of the revision, which Council agreed to and which will be incorporated before second reading.

The three ordinances were introduced for first reading by Mr. Putens, Mr. Turnbull, and Mr. Roberts, respectively.

A Resolution to Authorize the Negotiated Purchase of Certain Goods and Services from Various Vendors as Enumerated Herein When Total Fiscal Year Purchases from Each Vendor Exceed Ten Thousand Dollars (\$10,000). Mayor Davis read the agenda comments. Mr. White introduced the resolution for first reading.

UPDATE ON ZIPCAR PROGRAM: Mayor Davis read the agenda comments. Bill Edwards of Zipcar presented figures for the City and particularly praised the high use of the car at Green Ridge House. There was brief discussion of whether a presentation to the Greenbelt East Advisory Committee would be worthwhile and how some parts of Greenbelt East (e.g., Greenbriar and Hunting Ridge) might be more likely to be interested in the program than others. There was discussion of whether a parking place should be found for the Green Ridge House car that did not require parallel parking. Mr. Turnbull said the researchers at University of California-Berkeley, with whom he had spoken earlier, cited the need for a head-in parking spot. Mr. Edwards said he thought there would be objections to taking away any parking places in the Green Ridge House lot, and the Mayor expressed concern that parking it in the lot might discourage use by other City residents. There was agreement that designating one of the two end spots on the street would be desirable, but Bo Bowman, a resident of Green Ridge House, said both of those spots are continually occupied by the same cars. Mr. McLaughlin said he would look into this, as well as possibilities for relocating the second City Zipcar, which is currently parked behind the Municipal Building.

APPROVAL OF GREEN RIDGE HOUSE PARKING MANAGEMENT PROGRAM: Mayor Davis read the agenda comments. Mr. Roberts asked what the status of the lot is during the day, when it is unrestricted. Mr. McLaughlin said although there are occasional complaints, there are almost always spots available during the 7:30 a.m - 5:30 p.m. period. Several residents in attendance said from the audience that the problem tends to be from 9 p.m. on. Mr. Turnbull said he wished to reiterate 1) that he thought it was a mistake for Council not to cap the number of permits issued and 2) that there should be a cost-differential between those using and not using the parking lot. Mr. White moved Council approval of the Green Ridge House Parking Management Program as amended by the City Manager's memo of July 8, 2002. Mr. Putens seconded. Mr. Roberts asked if Mr. Turnbull's amendments were included in the motion, since he would like to support them. Mr. White and Mr. Putens agreed they were not. The motion passed 4-1 (Turnbull).

APPROVAL OF CONCEPT PLAN FOR HUNTING RIDGE ROUNDABOUT: The Mayor read the agenda comments. Ms. Craze gave an overview of the plan and noted that she anticipated a cumulative effect of the addition of a second roundabout to Hanover Parkway. She added that she would next bring to Council the whole Hanover Parkway

plan, with the idea that staff would then be able to implement a steady series of projects in order to carry out this work.

Mr. Putens asked whether the Hunting Ridge board had approved the project. Ms. Craze said they had taken no formal action, but all their comments were positive. Mr. Roberts suggested the possibility of a bench halfway up the staircase. Mr. Turnbull made a suggestion to reorient the southbound sidewalk, which Ms. Craze agreed would be added to the plan. In response to a question from the Mayor, Ms. Craze said the landscaping around the deer statue would be revisited with the overall study of Hanover Parkway. In response to a question from Mr. Turnbull, Ms. Craze said that bicycles would have to share a wide lane approaching and going around the circle with cars. Sheldon Goldberg, chair of the Greenbelt East Advisory Committee, asked if there would be a light on the path through the park, and Ms. Craze said there was no plan to do that. Mr. Edwards asked if this project would be affected by the planned last phase of construction at the Lakes of Greenbelt Village. Ms. Craze said the timing of that work is so uncertain that the City should not delay its work in anticipation of it.

Mr. Turnbull expressed serious reservations about having an asphalt path cross the street at the intersection because it might be perceived as a bike path and be dangerous if bikers did not yield right-of-way to cars. Ms. Craze said the asphalt is not only cheaper but would be more pleasant and attractive, since it would be field-sited and could meander with varying terrains. She added that the paths at the intersection at Greenspring are asphalt. Mr. Turnbull suggested that this issue be examined further, perhaps with input from the State Highway Administration. Mayor Davis said she recognized the seriousness of Mr. Turnbull's concern but wondered if some other way could not be found to address the safety concern; she said residents have tended to prefer asphalt and that she would dislike the look of a concrete sidewalk. Mr. Edwards suggested the idea of having a meandering asphalt path that would be modified at the intersection to be a real sidewalk. Mr. Roberts suggested that if the path were narrow enough, bikers would recognize it as a pedestrian walkway; he said he was more concerned with the lack of a dedicated bike lane on the street at the intersection and on the circle. Ms. Craze agreed that this was a concern for the whole road. She said staff had brought forward the roundabout plan because Hunting Ridge has needed it for so long, but she expected Council would have the opportunity to re-examine the situation for bicycles in the context of the whole Hanover Parkway plan before construction started on the roundabout.

Mr. White moved Council approval of the concept drawings for the Hunting Ridge Roundabout, conditional upon review by the Greenbelt East Advisory Committee, with advisement to Council of any substantive comments from that review. Mr. Putens seconded; the motion passed 5-0.

Ms. Craze then gave Council an update on traffic-calming, based upon a memo on this subject. Mr. Turnbull raised questions about the state requirement that a speed limit of 30 m.p.h. be posted unless engineering studies justified a lower speed limit. This is a problem, particularly in Greenbelt East, because the traffic is technically not traveling at a speed enough above the posted limit to justify calming. Mr. Turnbull described this as a "dumb law" and suggested it be raised with the City state delegation. Since an opinion on interpretation of this law is already pending with the Attorney General's

office, Council directed Mr. Moran to hold this topic for further review after the response has been received.

Mr. White said he had previously given staff comments on problems of vehicle speed in the area of Crescent and Hillside and Crescent and Eastway. One issue is that there is no stop sign on Crescent from Gardenway to Kenilworth. Ms. Craze said all streets in the City were studied, not just those about which complaints had been received.

Mr. Turnbull again raised the question of the traffic back-ups on Metro Drive at Cherrywood Lane, saying his experience there did not reflect the findings of the staff study. He suggested a roundabout would work there. Mayor Davis said he should bring this up at the upcoming work session on Capital Projects, if the proposal is for the City to assume the costs rather than WMATA. Ms. Craze added that the corridor study for Cherrywood Lane would be forthcoming within the next six months or so. There was agreement to look into getting additional crosswalk bollards for Greenbelt East. Ms. Craze was asked to look into whether these can say "stop" rather than "yield." Mr. Turnbull also asked for a report on the police "sting" operation that was to take place at crosswalks in June.

AWARD OF PURCHASE - REPLACEMENT POLICE VEHICLES: The Mayor read the agenda comments. Mr. Putens moved approval of purchase of six 2003 Ford Crown Victoria police vehicles from Norris Ford of Baltimore for a total of \$122,232 under the state bid award. Mr. Turnbull seconded. The motion passed 5-0.

REVIEW OF MEETING WITH M-NCPPC ON PLANNING AND ZONING AUTHORITY: Mayor Davis said she had met last month with representatives of the Maryland-National Capital Park and Planning Commission (M-NCPPC) to discuss the matter of municipal planning and zoning authority in Prince George's County. Representing M-NCPPC were Elizabeth Hewlett, Chair, Dr. Fern Piret, Planning Director, and Adrian Gardner, Counsel. Also in attendance were Mayor Fred Robinson of Bowie and Mayor Stephen Brayman of College Park. She said the meeting was congenial. It was clarified that this meeting was not intended to substitute for the Summer Study on this topic. Another meeting will be held in late July, and it has been proposed to enlarge the group by including planning directors. Mayor Davis added that there was a concern regarding enlarging the group too quickly. There was discussion of this format, as well as of the potential impact of Greenbelt's change in legislative district and of the pending changes in county personnel. Council agreed that the Mayor and appropriate staff should attend the second meeting.

GREATER METROPOLITAN AREA MOU FOR ANIMAL SERVICES: Mayor Davis read the agenda comments and added that this issue had been discussed at one of the COG board meetings. She said the question of pet rescue and shelter had been a serious one in New York City last September and following the tornado in La Plata, and this Memorandum of Understanding represents an attempt by COG to respond to it. Mr. Roberts asked who defines "emergency" and said he had some concern that the City might be pulled into non-emergency problems. Mr. McLaughlin said that although it would be up to the local area to determine what was an emergency, it was understood that this would mean an event on the order of a disaster and that, in any given instance, the City was not required to respond. Mr. Putens made a motion authorizing

the Mayor to sign the MOU on behalf of the City. Mr. Turnbull seconded the motion, which passed 5-0.

CITY SPONSORSHIP OF GREENBELT PINK RIBBON RIDE: It was moved by Mr. Putens and seconded by Mr. White that Council approve recognition of the City as a sponsor of the Bike 4 Breast Cancer event, as requested by Ms. Lewis. The motion passed 5-0.

MEETINGS: Council reviewed the upcoming schedule of meetings. The Mayor reminded Council that some Council members and staff would meet informally with County Councilmember Dernoga on July 12 at 4:00 p.m. to give him some background on Greenbelt. Council directed staff to attempt to set up a work session in August with the 22nd District delegation, including Senator Pinsky and Delegates Gaines and Healey. Mayor Davis noted that the next meeting with M-NCPPC might be scheduled for July 31 in Bowie. It was agreed to begin the July 15 meeting to discuss advisory group appointments at 7:30 p.m.

ADJOURNMENT: A motion to adjourn was made by Mr. Putens and seconded by Mr. Roberts. The motion carried 5-0. Mayor Davis adjourned the regular meeting of July 8, 2002, at 11:12 p.m.

Respectfully submitted,

Kathleen Gallagher

City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the regular meeting of the City Council of Greenbelt, Maryland, held July 8, 2002."

Judith F. Davis

Mayor